

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

Three Nickels, LLC

Case no. 23-41456 (JMM)

Debtor.  
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**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

Upon the Application **[ECF No. 25] (the “Motion”) (JMM)** of Ocean Lender LLC (the “Mortgagee”) for an order against Three Nickels, LLC (the “Debtor”) lifting the automatic stay to permit the Mortgagee to pursue its remedies under New York law with respect to the real property at 555 Ocean Avenue, Brooklyn, New York 11226 **(the “Property”) JMM,** and upon the hearing held before this Court on August 23, 2023 (the “Hearing”), and upon the entire record of this case, and after due deliberation and sufficient cause appearing therefor, it is

ORDERED, that the automatic stay under 11 U.S.C. § 362 be, and it hereby is, ~~vacated~~ **modified (JMM)** to permit the Mortgagee to exercise all rights available to it under applicable law with respect to the Property including a scheduling a foreclosure sale pursuant to the pending foreclosure action, provided, however, that the Mortgagee shall not permit a foreclosure sale to be conducted before December 1, 2023, and shall cause any scheduled foreclosure sale to be cancelled in the event the deed to the Property is transferred to the Mortgagee pursuant to order of this Court before December 1, 2023.

**ORDERED, within thirty (30) days of any sale or disposition of the Property, the Mortgagee shall serve a copy of the report of sale or disposition of the Property on the above captioned debtor and debtor’s counsel. Any surplus proceeds realized from the sale**

**or other disposition of the Property shall be remitted promptly to the debtor; and it is further**

**ORDERED, that all other relief sought in the Motion is denied.** (JMM)

Dated: September 17, 2023  
Brooklyn, New York



  
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Jil Mazer-Marino  
United States Bankruptcy Judge